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In the United States Patent and Trademark Office

Application Number: 09/939,087

Application Filed: 08/24/2001

Applicant: Alex Freeman

Title: Novel Microarray for High Throughput
Screening

Examiner: Sines, Brian J

Art Unit: 1743

August 16, 2004

Amendment

Assistant Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

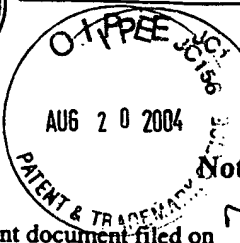
Sir:

In response to the Office Action mailed on March 29, 2004 and the Notice of Non-Compliant Amendment on 7/16/2004 please amend the above referenced patent application as follows:



091 4340817

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov



Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 7/19/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
- ☒ A. Amended paragraph(s) do not include markings.
 - ☒ B. New paragraph(s) should not be underlined.
 - ☒ C. Other Whole paragraphs must be submitted when being amended.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and **this ONE MONTH time limit is not extendable.**

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Nicole Lawrence
Legal Instruments Examiner (LIE)

(571) 272-1025
Telephone No.



August 16, 2004

Assistant Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450


Dear Sir / Madam,

This is in response to the Notice of Non -Compliant Amendment,
dated 07/16/2004 for the Application, 09/939,087 with a filing
date of 08/24/2001.

Enclosed please find

- Amended paragraphs that now include markings,
- Whole paragraphs submitted when being amended.

A copy of the Notice of the Non -Compliant Amendment is enclosed
for your reference.

Sincerely,

Alex Freeman